

AMENDMENT UNDER 37 C.F.R. § 1.116
Application Serial No. 09/778,015
Attorney Docket No. Q62980

AMENDMENTS TO THE DRAWINGS

Please remove Figure 15 and replace with Replacement Figure 15.

Attachment: Replacement Sheet

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REMARKS

Claims 1-5 have been examined, with claims 6-7 having previously been withdrawn from consideration. Claims 1, 3 and 5 are presently amended. No new matter is presented.

Claims 3-5 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Shinozuka et al. (U.S. Patent No. 6,404,728, hereinafter "Shinozuka"), and claims 1-3 and 5 stand rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Tanaka (U.S. Patent No. 5,068,844) in view of Shinozuka. The outstanding rejections are addressed below.

Amendments to the Drawings

Applicant submits herewith replacement Figure 15, which is presented in order to more clearly illustrate the coupling member 107, which is provided between connecting part 106 and connecting part 108. No issue of new matter is believed to be presented by the amendment to the drawings, which is supported at least by the description of Figure 15 provided in the Specification at pages 26-30. Entry of the replacement drawing is respectfully requested.

Claim Rejections - 35 U.S.C. § 102(e)

As noted above, claims 3-5 stand rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Shinozuka. Applicant respectfully traverses and submits that Shinozuka fails to teach or suggest all the limitations of the lens drive device defined by claims 3 and 5.

For instance, Applicant submits that Shinozuka fails to suggest at least the feature of a connection wire that lies between said drive coils for electrically connecting said drive coils is

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integrally molded while being contained in said lens holder in the lens drive device defined by independent claims 3 and 5. In this regard, Applicant notes that the Examiner asserts that the tracking coil 13 and the focusing coil 12 of Shinozuka correspond to the claimed drive coils. *See* Office Action at page 2. However, the tracking coil 13 and focusing coil 12 of Shinozuka are not electrically connected by a connection wire, as required by claims 3 and 5, which lies between the drive coils and is integrally molded while being contained in the lens holder.

Rather, Shinozuka teaches that wires 6, which the Examiner analogizes to the claimed wire form elastic members, are simply secured to lens holder 3 and wire holder 4. *See* Shinozuka at col. 10, lines 49-52. Indeed, Shinozuka merely teaches a pair of flexible wiring boards 48 connected by means of a board holding member 49 which is removed after the adhesion step. *See* Shinozuka at Figure 5 and column 12, lines 9-26. Therefore, Shinozuka fails to suggest *at least* a connection wire that lies between the drive coils for electrically connecting the drive coils which is integrally molded while being contained in said lens holder, as recited by claims 3 and 5.

In addition, Applicant submits that Shinozuka fails to teach or suggest the feature of the drive coils are arranged on both sides of the objective lens. Indeed, as shown in Figures 1 and 2 of Shinozuka, tracking coil 13 and drive coil 12 are both located behind the objective lens 2. Thus, Shinozuka additionally fails to teach the feature of “wherein said drive coils are arranged on both sides of said objective lens,” as defined by independent claims 3 and 5.

As evidenced by the forgoing, Shinozuka fails to teach or suggest all the features of independent claims 3 and 5. Accordingly, reconsideration and withdrawal of the rejection of

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these claims is requested. Further, Applicant submits that claim 4 is allowable at least by virtue of depending from claim 3.

Claim Rejections - 35 U.S.C. § 103

Claims 1-3 and 5 stand rejected under 35 U.S.C. § 103(a) as being allegedly anticipated by Tanaka (U.S. Patent No. 5,068,844) in view of Shinozuka. Applicant respectfully traverses.

With respect to independent claims 1, 3 and 5, Applicant submits that the combination of Tanaka and Shinozuka fails to teach or suggest at least the feature of a connection wire that lies between the drive coils for electrically connecting the drive coils is integrally molded while being contained in the lens holder. In this regard, Applicant notes that Tanaka merely teaches a lens holder 25 which is supported by leaf springs 21 and 22, which the Examiner analogizes to the wire-form elastic members, wherein both ends of the leaf spring are inserted into elastic members 19, 20, 23 and 24 that are provided in recesses formed in the lens holder and the connective member. *See* Tanaka at col. 3, lines 30-49. Further, the Examiner analogizes tracking coils 29 and 30 and focusing coil 31 as the claimed drive coils. *See* Office Action at pages 3-4. However, the elastic members of Tanaka do not electrically connect the tracking coils or drive coils, as claimed, nor do the elastic members lie between “drive coils” as required by claims 1, 3 and 5.

In addition, Applicant notes that the teaching of Shinozuka, even assuming the Examiner's asserted motivation to combine Tanaka and Shinozuka is proper, fails to compensate for the deficient teaching of Tanaka. As discussed above with respect to the rejection of claims

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3-5 under 35 U.S.C. § 102(e), Shinozuka fails to suggest *at least* a connection wire that lies between the drive coils for electrically connecting the drive coils which is integrally molded while being contained in said lens holder. Thus, for similar reasons, Shinozuka fails to teach or suggest the features of independent claims 1, 3 and 5 which are clearly deficient in the teaching of Tanaka.

As evidenced by the foregoing, neither Tanaka nor Shinozuka, whether taken alone or in combination, teaches or suggests all the limitations of independent claims 1, 3 and 5. Accordingly, reconsideration and withdrawal of the rejection of these claims is requested. Further, Applicant submits that claims 2 and 4 are allowable at least by virtue of depending from claims 1 and 3, respectively, and allowance of claims 1-5 is therefore requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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23373

CUSTOMER NUMBER

Date: November 29, 2005

CERTIFICATION OF FACSIMILE TRANSMISSION

Sir:

I hereby certify that the above identified correspondence is being facsimile transmitted to Examiner George J. LETSCHER at the Patent and Trademark Office on November 29, 2005 at (571)273-8300.

Respectfully submitted,



Brian K. Shelton